

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

POWER INTEGRATIONS, INC., a  
Delaware corporation,

Plaintiff,

v.

FAIRCHILD SEMICONDUCTOR  
INTERNATIONAL, INC., a Delaware  
corporation, and FAIRCHILD  
SEMICONDUCTOR CORPORATION, a  
Delaware corporation,

Defendants.

C.A. No. 04-1371-JJF

**PLAINTIFF POWER INTEGRATIONS, INC.'S  
MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION  
FOR ORDER TO SHORTEN TIME FOR BRIEFING**

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Attorneys for Plaintiff  
POWER INTEGRATIONS, INC.

DATED: August 8, 2005

Power Integrations, Inc. (“Power Integrations”) seeks an order shortening the briefing schedule for its Motion to Amend the Complaint, or in the Alternative, to Compel Defendants to Produce Witnesses (“Motion to Amend or Compel”) as that motion bears directly on the parties’ upcoming travel to Korea for depositions. Such modifications to the default briefing schedule are permitted by Court order. D. Del. LR. 7.1.2.

The timing of the instant motions, and the need to shorten time, is a result of delay by Defendants Fairchild Semiconductor Corporation and Fairchild Semiconductor International, Inc. (“Fairchild”) in notifying Power Integrations that they will not cooperate with discovery from Fairchild’s wholly-owned subsidiary, Fairchild Semiconductor Korea (“Fairchild Korea”). Because the parties are scheduled to begin taking depositions of Fairchild 30(b)(6) witnesses in Korea starting September 1, 2005, good cause exists to deviate from the typical briefing schedule, as the relief sought would be rendered ineffective absent a shortened briefing schedule.<sup>1</sup> *See* D. Del. LR. 7.1.2(a) (setting out a briefing schedule that would take, at a minimum fifteen business days in order for the parties to provide a complete briefing of the issues to the Court). By the time the Court has an opportunity to review both parties’ briefs and provide an order, the currently-scheduled depositions will likely be completed to Power Integrations’ prejudice as Fairchild would have successfully asserted a unilateral right to determine what witnesses will, or will not, be relevant to Power Integrations’ case.

Power Integrations therefore respectfully requests that the Court order an expedited briefing schedule for the Motion to Compel or Amend so that this issue can be resolved as soon as possible.

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<sup>1</sup> Despite having discussed the benefit of resolving the instant dispute before traveling to Korea for depositions, *see* Consolidated Declaration of Michael R. Headley (“Headley Decl.”) Ex. 2, Fairchild has now taken the position that it will not assent to briefing the issue on an expedited manner. (Headley Decl., Ex. 3)

Dated: August 8, 2005

FISH & RICHARDSON P.C.

By: */s/ Sean P. Hayess*

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 8, 2005, I electronically filed the **PLAINTIFF POWER INTEGRATIONS, INC.'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR ORDER TO SHORTEN TIME FOR BRIEFING** with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

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I hereby certify that on August 8, 2005, I have mailed the document(s) via Federal Express to the following non-registered participants:

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